

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

FILED

MAY - 2 1993

BOARD OF PHARMACY

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Division of Law - 5th Floor
124 Halsey Street
Newark, New Jersey 07101

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE	:	
SUSPENSION OR REVOCATION	:	Administrative Action
OF THE LICENSE OF:	:	
	:	
BENJAMIN JOO, R.P.	:	CONSENT ORDER
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	
<u>RE 16247</u>	:	

This matter was opened to the New Jersey Board of Pharmacy by receipt of information that respondent Benjamin Joo, R.P. dispensed, on two occasions, Amoxil suspension and Amoxil tablets respectively, as well as Tigan Suppositories, all prescription legend drugs, without the benefit of a written prescription or authorization from a prescriber.

Benjamin Joo appeared before the Board of Pharmacy on February 28, 1996. Respondent testified, while under oath, that he was aware of only dispensing the Amoxil suspension and Tigan. He stated that he relied on the representations of the infant's mother as to the seriousness of the child's condition and therefore felt it was appropriate to dispense medications without a prescription. Further, respondent denied that he had engaged in the diagnosis and

treatment of a patient, and thus practiced medicine without the benefit of a license. Respondent did, however, represent to the Board that he would not engage in this conduct again; rather all dispensings would be pursuant to valid prescriptions.

The parties have agreed and consented to the resolution of this matter without the necessity of formal administrative proceedings available to the Board, and it therefore appearing that due cause exists for the entry of the within Order,

IT IS ON THIS *2nd* DAY OF *May* 1996,
ORDERED:

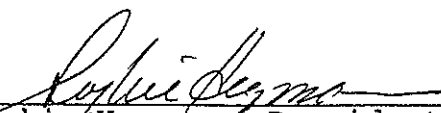
1. Defendant Benjamin Joo, R.P. shall be and hereby is permanently enjoined in the State of New Jersey from engaging in, offering, or holding himself out as able to engage in the practice of medicine and surgery with or without compensation unless and until he secures a license to so practice from the New Jersey State Board of Medical Examiners. For the purpose of this Order, the practice of medicine and/or surgery shall be defined as offering to, holding oneself out as being able to or undertaking to: diagnose, treat, operate or prescribe for any human disease, pain, injury, deformity, or physical condition.

2. The license to practice pharmacy of Benjamin Joo shall be suspended for six (6) months: one (1) month of said suspension shall be active and five (5) months of said suspension shall be stayed.

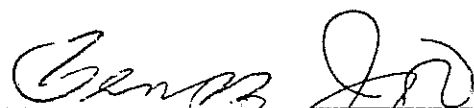
3. Respondent shall pay a civil penalty in the amount of \$5,000.00 to the Board prior to the completion of respondent's active period of suspension.

4. Should respondent fail to tender the civil penalty to the Board within the period of active suspension, the license suspension shall continue in an active status until all monies due and owing have been paid to the Board.

STATE BOARD OF PHARMACY

By: 
Sophie Heymann, President

I have read and understood the within Order and agree to be bound by the terms therein. Consent is hereby given to the Board for its entry.


Benjamin Joo, R.P., Respondent